M.R.O. 1—10,006—28-2-50.

(1) Number of pages _____

(2) Date of repair _____

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MADRAS RECORD OFFICE

Government of Madras

Public works DEPARTMENT

G.O. No.	1066F	Press
B.P. ~~No.~~ 3244-3246		~~Mis.~~
Dated	24-4-1874	~~195~~ .

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department,
24th April 1874.

No. 324K. Read the following letter from Colonel F. J. MOBERLY, R.E., District Engineer, Chingleput, to Colonel G. W. WALKER, R.E., Secretary to Government, Public Works Department, dated Guindy, 14th April 1874, No. 176:—

I HAVE the honour to enclose copy of plaint filed by villagers of Manapakam, Chingleput Taluq, against certain other villagers and the Range Officer Mr. Lowry, and of his reply, and to request the permission of Government to Mr. Lowry's defending the suit.

1 Copy of plaint of villagers.
1 Draft reply of Mr. Lowry.
1 Sketch.

No. 324L. ORDER THEREON, 24th April 1874, No. 1,066F.

ESTABLISHMENT, No. 19C.

THE defence of the suit is authorized subject to a future decision as to the incidence of the costs.

2. The survey does not indicate, as it should have done, the position of the 96 yards referred to in the plant; and, if a Revenue Survey Map of the locality be available, it should have been transmitted in explanation of the circumstances and care should be taken that the evidence which such a document will afford is made use of.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the Chief Engineer for Irrigation.
,, District Engineer, Chingleput, with Survey.
,, Officiating Controller of Public Works Accounts.

Exd. S. T. Austin,
Spare Copies

Reply proposed to be given by the under-signed to plaint filed by the Manapakam Villagers in suit No. 363 of 1873.

The Chunnel in question is a catch drain intended to intercept the water flowing from East to West and convey it into the Odyambakam Tank this Chunnel has been many years in existence and it in no way affects the interests of the Plaintiffs when improvements were made to the Chunnel in 1872/73 by slightly widening and deepening it, the necessary excavation was not made on the Plaintiffs land but on waste land belonging to Government.

That the improvements mentioned above were not made by me or by my orders and in fact that I had nothing whatever to do with this matter and I ought not to have been made a party to the suit.

That my predecessor Mr. Ottmann who made the improvements to the Chunnel objected to by the Plaintiffs had a right to do what he did under the decision of the High Court of Madras in regular Appeal No. 26 of 1871

As

As the water is thereby declared to be the property of Government and Mr. Ottmam only did his duty in making use of what would otherwise flow to waste.

(Signed) R. J. Lowry
13th April 1874. Executive Engineer

(True Copy)
Col. R.E.
District Engr. Chingleput

P.W. 2222
21 April 1874
Encl. No. 324 P.

51

To

The District Munsiff
of Chingleput

We Ramakistna Iyer Civil Court Vakeel & Streenevasarow Munsiffs Court Vakeel conjointly file a plaint under Section 26 of the Civil Code on behalf of Manapakam ryots Sochunnum Streenevasa Chariar & Coopanieugar alias Yeggia Varaga chariar against Oodyanbakam Ryots & ors noted below.

1 Sami Iyer
2 Coppier } sons of Vencata Soobbier
3 Ramasawmy Iyer son of Sivadunkara Iyer
4 Vencatarama Iyer, son of Soobbarayer
5 Vatha Chella Iyer, son of Appier.
6. R. J. Lowry Esqre Executive Engineer
7. Narrainacharry Salug Overseer —

to fill up the Channel recently cut in the 1/8 Cawny of plaintiffs situate in Manapakam Village, yielding revenue to Government Annually 4—5—1, to pay plaintiffs Rs 20 being the Cost of the filling in addition to Rs 20 the damage caused to them, by the Channel having been

Cut

Cut, in all to recover Rs. 40. from the defendants & to decree that the plaintiffs may enjoy the said land without the interruption of Defendants.

Grounds

1. The Nunjah Pymaish Lands No. 773, 774, 777, & 789 of Mapalcam in question belong to the Plaintiffs' shares.

2. They 15 years since enjoyed with Pattas without any Objection until last February.

3. While so in the month of February Defendants from 1 to 5 with the permission of 6 & 7th Defendants had Cut a new Channel for 96 yards in length 4 yards in wide & one yard deep & thrown the spoil on both sides of the bank for 4 yards wide.

4. There was no Channel before for Oodyambakam tank in the lands under notice.

5. Although the Plaintiffs Objected to when Cutting the Channel & yet the work was not stopped & thereby the Plaintiff lost their lands & sustained loss.

We therefore request to order on enquiries being made to fill up the Channel under reference measuring Cawnies .—2—. & assessed Rs. .—5—1, by the Defendants & make them to pay Rs. 40—.—. the damage & allow the Plaintiffs to Cultivate the lands without any interference whatever by the Defendants.

9th October 1873 (Signed) Ramakistna Iyer
Court Vakeel

(Signed) Sheenevasa Row.
Court Vakeel.

(Translation of the plaint.)

G.O. No. 1066 T dated Public Works Department
24th April 1874

Proceedings of the Madras Government

Read the following

From the Dy Engr Chingleput (Revenue Enter No 176 dated
14" April 1874)

The defence of the suit is authorized, subject to a future decision as to the incidence of the costs.

2 The Survey does not indicate, as it should have done, the position of the 96 yards referred to in the plaint; and, if a Revenue Survey Map of the locality be available, it should have been transmitted in explanation of the circumstances, and care should be taken that the evidence which such a document will afford is made use of.

To The Chief Engineer for Irrigation
" Dist Engineer Chingleput with Survey
" Contr Genl
1 Copies despd to both 13/5/74.

W.W. 21/4/74

R. D. 24 dated 21st April 1874
In P.P. No. 3244

P.P. 2223/74

2222

Govt. of {1874} Madras.

PUBLIC WORKS.

To

Dated

Recd. Encl. 2

G. O., 24th April 1874, No. 1066?

Nos. 3245-3247

Suit

The defence of the suit instituted against Mr. Lowry Executive Engineer Chingleput by certain Villagers of Manapakam in the Chingleput District authorized —